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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

THE PEOPLE,

Plaintiff and Respondent,

v.

VERNON EMANUEL BELL,

Defendant and Appellant.

B217463

(Los Angeles County Super. Ct.
No. YA072453)

APPEAL from a judgment of the Superior Court of Los Angeles County, Eric C. Taylor, Judge. Affirmed.

Donald H. Glaser, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Defendant and appellant Vernon Emanuel Bell was convicted by jury of second degree burglary (Pen. Code, § 459)¹ and petty theft with a prior conviction (§ 666). Defendant admitted suffering a prior conviction under the three strikes law (§§ 667, subds. (b)-(i), 1170.12, subds. (a-d)) and serving two prior prison terms (§ 667.5, subd. (b).) The trial court sentenced defendant to eight years in state prison.

FACTS

Defendant was observed breaking into the Dayro Market on the evening of June 18, 2008, by two neighbors who witnessed the incident from across the street. Defendant exited the store carrying a red item. After the burglary was reported, defendant was taken into custody nearby, while carrying a red folder. Defendant was agitated and out of breath. The neighbors who had observed the burglary identified defendant in the field after the detention. Cash in an amount approximating that taken from the Dayro Market was recovered from defendant.

DISCUSSION

This court appointed counsel to represent defendant on appeal. On January 22, 2010, appointed counsel filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436, raising no issues but requesting this court to independently review the record for arguable issues on appeal. Defendant was notified by letter from this court on January 22, 2010, of his right to file a supplemental brief within 30 days. Defendant has not filed a supplemental brief.

We have independently examined the record on appeal. There are no arguable appellate issues. (*Smith v. Robbins* (2000) 528 U.S. 259.)

¹ All statutory references are to the Penal Code unless otherwise indicated.

DISPOSITION

The judgment is affirmed.

KRIEGLER, J.

We concur:

ARMSTRONG, Acting P. J.

MOSK, J.